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December 3, 2019

BY EFILE

Hon. Ronnie Abrams, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Hon. Louis L. Stanton, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Vanderwerff v. Quincy Bioscience Holding Co., Inc., et al.*
Case No. 1:19-cv-07582-RA

Karathanos v. Quincy Bioscience Holding Co., Inc., et al.
Case No. 1:19-cv-08023-RA

Spath v. Quincy Bioscience Holding Co., Inc., et al.
Case No. 1:19-cv-03521-RA

FTC, et al. v. Quincy Bioscience Holding Co., Inc., et al.
Case No. 1:17-cv-00124-LLS

Dear Judges Stanton and Abrams,

We represent Quincy Bioscience and related companies (collectively “Quincy”) in all of the above-referenced actions. We write in response to Mr. Roddy’s letter of even date.

We wrote to the Court yesterday and suggested a joint hearing in these matters because, from Defendants’ perspective, setting a date certain by which the Federal Trade Commission (“FTC”) and New York Attorney General (“NYAG”) would have to state an intention to object or not object to the proposed settlement would aid in the ultimate resolution of these matters.

The Stipulation of Settlement is explicit in saying that Defendants will not ask this Court to intervene in the *Racies* case that Mr. Roddy references in his letter. Defendants do intend, however, to ask the *Racies* Court to defer that trial until the FTC and NYAG have stated their position with respect to the proposed settlement, but we are not asking—and repeatedly have

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assured Plaintiffs' counsel that we will not ask—this Court to do anything at all with respect to *Racies*. We note only that the proposed Stipulation of Settlement is nationwide in scope and therefore would, if approved, resolve the claims pleaded in *Racies*. Whether the *Racies* court wishes to defer the trial while this settlement process is pending is a matter we intend to leave entirely to the discretion of that Court.

As stated in our letter to this Court, however, we do request that Your Honors set a coordinated hearing/settlement conference—either on January 29 or, if it pleases Your Honors, earlier—that includes counsel for both the class actions and the FTC/NYAG. The purpose of the hearing would be to determine if the FTC does or does not intend to object to the proposed settlement of the class actions. The parties thereafter can move forward either with a motion for preliminary approval or with plans for further litigation.

We thank Your Honors for your attention to these matters.

Respectfully submitted,

/s/ Geoffrey W. Castello

Geoffrey W. Castello